

From: George F. Nemeyer
To: Microsoft ATR
Date: 1/23/02 7:20pm
Subject: Microsoft Settlement

I wish to take extreme exception to the proposed Microsoft settlement terms.

In particular, the current settlement provisions make a laughing stock of 'oversight' of anti-competitive, monopolistic practices of which Microsoft has been found guilty.

The continuing stifling of competition by Microsoft's 'innovation' which is their catch phrase for taking third-party ideas and folding them into their monopoly-positioned Windows operating system has continued. They all but killed Netscape, and are now poised to do the same thing with media players, photo processing, and other 'applications'.

Additionally, the terms of the settlement do not address the issues of Open Source software interoperability or alternative platform/OS interoperative software development. Microsoft will still be allowed to corrupt existing and developing programming standards into 'proprietary' Microsoft mutations. They have done this already with a number of Internet standards, most notably with the Kerberos security suite which they plan to use in their .NET initiative. Any satisfactory settlement ***MUST*** ensure that open source and commercial competitors are provided with low-level programming details sufficient to preclude further Microsoft monopoly entrenchment. The current provision which allows Microsoft itself to define which companies are 'legitimate competitors' means they may simply ignore any other than those playing on their terms. It's a farce.

I urge you to reject the current settlement terms and seek a solution which provide real teeth in dealing with Microsoft's continuing anti-competitive practices.

George Nemeyer